IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

Bail Appl..No. 4258 of 2007()

CMP.5893/2007 of J.M.F.C.-I,NEDUMANGAD

.....

(CRIME NO.344 OF VENJARAMOODU POLICE STATION)

: PETITIONER

RAJESH S/O GOPALAKRISHNAN NAIR,
AGED 37 YEARS, RESIDING AT RAJESH BHAVAN,
MAARIYAM, MUDAKKAL MURI, NELLANADU VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENTS: COUNTER PETITIONER

STATE OF KERALA, REPRESENTED BY
THE GOVERNMENT PLEADER, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4258 of 2007

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Dated this the 13th day of July, 2007

ORDER

Application for regular bail. The petitioner has now been arrayed as an accused in a crime registered initially under Section 174 Cr.P.C and subsequently altered to 306 and 498A IPC.

2. The petitioner's wife allegedly met with her death in the house of the petitioner. The petitioner who was in the house, submitted that she had attempted to commit suicide. She was allegedly found in the room of the house. The petitioner allegedly attempted to save her and took her to the hospital.

3. Explanations offered by the petitioner have been found to be unsatisfactory. Other injuries suffered by the deceased which are inconsistent with the explanation offered by the petitioner. The conduct of the petitioner also does not inspire confidence. Investigation is in progress. Investigators have not yet taken a decision as to whether it was really a case of suicide or homicide. Investigators may be granted some further time to complete the investigation, before the petitioner's application for bail is considered in his favour. The learned Public Prosecutor submits that Investigating Officers have suspicion about the real cause of death of the deceased.

4. Having heard the learned counsel for the petitioner in detail, I am satisfied that the petitioner is not entitled to be released on bail at this early stage of investigation. He was arrested and continues in custody from 30.6.07. In a case like this, the Investigating Officer is certainly entitled to have some further reasonable time to complete the investigation.

5. In the result this petition is dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this Court again at a later stage of investigation, not at any rate, prior to 27.7.07. The Investigators, in the meantime, shall make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE